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# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## FOOD INSPECTION DECISION NO. 153.

### AMENDMENT TO REGULATION 9, RELATING TO GUARANTIES BY WHOLESALERS, JOBBERS, MANUFACTURERS, AND OTHER PARTIES RESIDING IN THE UNITED STATES TO PROTECT DEALERS FROM PROSECUTION.

Regulation 9 of the Rules and Regulations for the enforcement of the Food and Drugs Act, June 30, 1906 (34 Stat., 768), is hereby amended, effective May 1, 1915, so as to read as follows:

#### REGULATION 9. GUARANTY.

(Section 9.)

(a) It having been determined that the legends "Guaranteed under the Food and Drugs Act, June 30, 1906," and "Guaranteed by (name of guarantor), under the Food and Drugs Act, June 30, 1906," borne on the labels or packages of food and drugs, accompanied by serial numbers given by the Secretary of Agriculture, are each misleading and deceptive, in that the public is induced by such legends and serial numbers to believe that the articles to which they relate have been examined and approved by the Government and that the Government guarantees that they comply with the law, the use of either legend, or any similar legend, on labels or packages should be discontinued. Inasmuch as the acceptance by the Secretary of Agriculture for filing of the guaranties of manufacturers and dealers and the giving by him of serial numbers thereto contribute to the deceptive character of legends on labels and packages, no guaranty in any form shall hereafter be filed with and no serial number shall hereafter be given to any guaranty by the Secretary of Agriculture. All guaranties now on file with the Secretary of Agriculture shall be stricken from the files, and the serial numbers assigned to such guaranties shall be canceled.

(b) The use on the label or package of any food or drug of any serial number required to be canceled by paragraph (a) of this regulation is prohibited.

(c) Any wholesaler, manufacturer, jobber, or other party residing in the United States may furnish to any dealer to whom he sells any article of food or drug a guaranty that such article is not adulterated or misbranded within the meaning of the Food and Drugs Act, June 30, 1906, as amended.

(d) Each guaranty to afford protection shall be signed by, and shall contain the name and address of, the wholesaler, manufacturer, jobber, dealer, or other party residing in the United States making

the sale of the article or articles covered by it to the dealer, and shall be to the effect that such article or articles are not adulterated or misbranded within the meaning of the Federal Food and Drugs Act.

(e) Each guaranty in respect to any article or articles should be incorporated in or attached to the bill of sale, invoice, bill of lading, or other schedule, giving the names and quantities of the article or articles sold, and should not appear on the labels or packages.

(f) No dealer in food or drug products will be liable to prosecution if he can establish that the articles were sold under a guaranty given in compliance with this regulation.

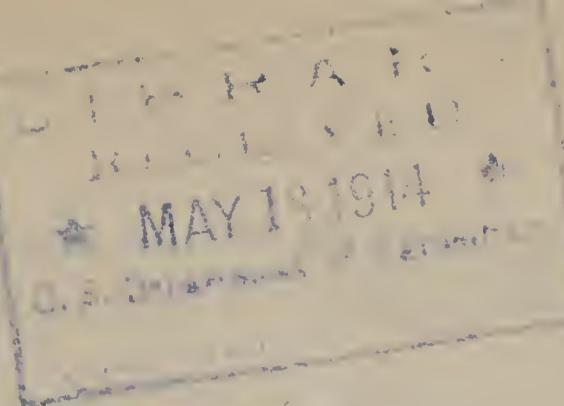
W. G. McADOO,  
*Secretary of the Treasury.*

D. F. HOUSTON,  
*Secretary of Agriculture.*

WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., May 5, 1914.

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C42F



# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

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### FOOD INSPECTION DECISION NO. 154.

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#### REGULATION OF MARKING THE QUANTITY OF FOOD IN PACKAGE FORM.

Under section 3 of the Food and Drugs Act of June 30, 1906 (34 United States Statutes at Large, pages 768 to 772), as amended by the Act of March 3, 1913, entitled "An Act to amend section eight of an Act entitled 'An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes,' approved June thirtieth, nineteen hundred and six" (37 United States Statutes at Large, page 732), Regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act is hereby amended so as to read as follows:

##### STATEMENT OF WEIGHT, MEASURE, OR COUNT.

(Section 8, paragraph 3, under "Food," as amended by act of March 3, 1913.)

(a) Except as otherwise provided by this regulation, the quantity of the contents, in all cases of food, if in package form, must be plainly and conspicuously marked, in terms of weight, measure, or numerical count, on the outside of the covering or container usually delivered to consumers.

(b) The quantity of the contents so marked shall be the amount of food in the package.

(c) The statement of the quantity of the contents shall be plain and conspicuous, shall not be a part of or obscured by any legend or design, and shall be so placed and in such characters as to be readily seen and clearly legible when the size of the package and the circumstances under which it is ordinarily examined by purchasers or consumers are taken into consideration.

(d) If the quantity of the contents be stated by weight or measure, it shall be marked in terms of the largest unit contained in the package; for example, if the package contain a pound, or pounds, and a

fraction of a pound, the contents shall be expressed in terms of pounds and fractions thereof; or of pounds and ounces, and not merely in ounces.

(e) Statements of weight shall be in terms of avoirdupois pounds and ounces; statements of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., in gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68° F. (20° C.); and statements of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i. e., in bushels, half bushels, pecks, quarts, pints, or half pints: *Provided*, That, by like method, such statements may be in terms of metric weight or measure.

(f) The quantity of solids shall be stated in terms of weight and of liquids in terms of measure, except that in case of an article in respect to which there exists a definite trade custom otherwise, the statement may be in terms of weight or measure in accordance with such custom. The quantity of viscous or semi-solid foods, or of mixtures of solids and liquids, may be stated either by weight or measure, but the statement shall be definite and shall indicate whether the quantity is expressed in terms of weight or measure, as, for example, "Weight 12 oz.," or "12 oz. avoirdupois"; "Volume 12 ounces," or "12 fluid ounces."

(g) The quantity of the contents shall be stated in terms of weight or measure unless the package be marked by numerical count and such numerical count gives accurate information as to the quantity of the food in the package.

(h) The quantity of the contents may be stated in terms of minimum weight, minimum measure, or minimum count, for example, "minimum weight 16 oz.," "minimum volume 1 gallon," or "not less than 4 oz.;" but in such case the statement must approximate the actual quantity and there shall be no tolerance below the stated minimum.

(i) The following tolerances and variations from the quantity of the contents marked on the package shall be allowed:

(1) Discrepancies due exclusively to errors in weighing, measuring, or counting which occur in packing conducted in compliance with good commercial practice.

(2) Discrepancies due exclusively to differences in the capacity of bottles and similar containers resulting solely from unavoidable difficulties in manufacturing such bottles or containers so as to be of uniform capacity: *Provided*, That no greater tolerance shall be allowed in case of bottles or similar containers which, because of their design, can not be made of approximate uniform capacity than is allowed in case of bottles or similar containers which can be manufactured so as to be of approximate uniform capacity.

(3) Discrepancies in weight or measure, due exclusively to differences in atmospheric conditions in various places, and which unavoidably result from the ordinary and customary exposure of the packages to evaporation or to the absorption of water.

Discrepancies under classes (1) and (2) of this paragraph shall be as often above as below the marked quantity. The reasonableness of discrepancies under class (3) of this paragraph will be determined on the facts in each case.

(j) A package containing two avoirdupois ounces of food or less is "small" and shall be exempt from marking in terms of weight.

(k) A package containing one fluid ounce of food or less is "small" and shall be exempt from marking in terms of measure.

(l) When a package is not required by paragraph (g) to be marked in terms of either weight or measure, and the units of food therein are six or less, it shall, for the purpose of this regulation, be deemed "small" and shall be exempt from marking in terms of numerical count.

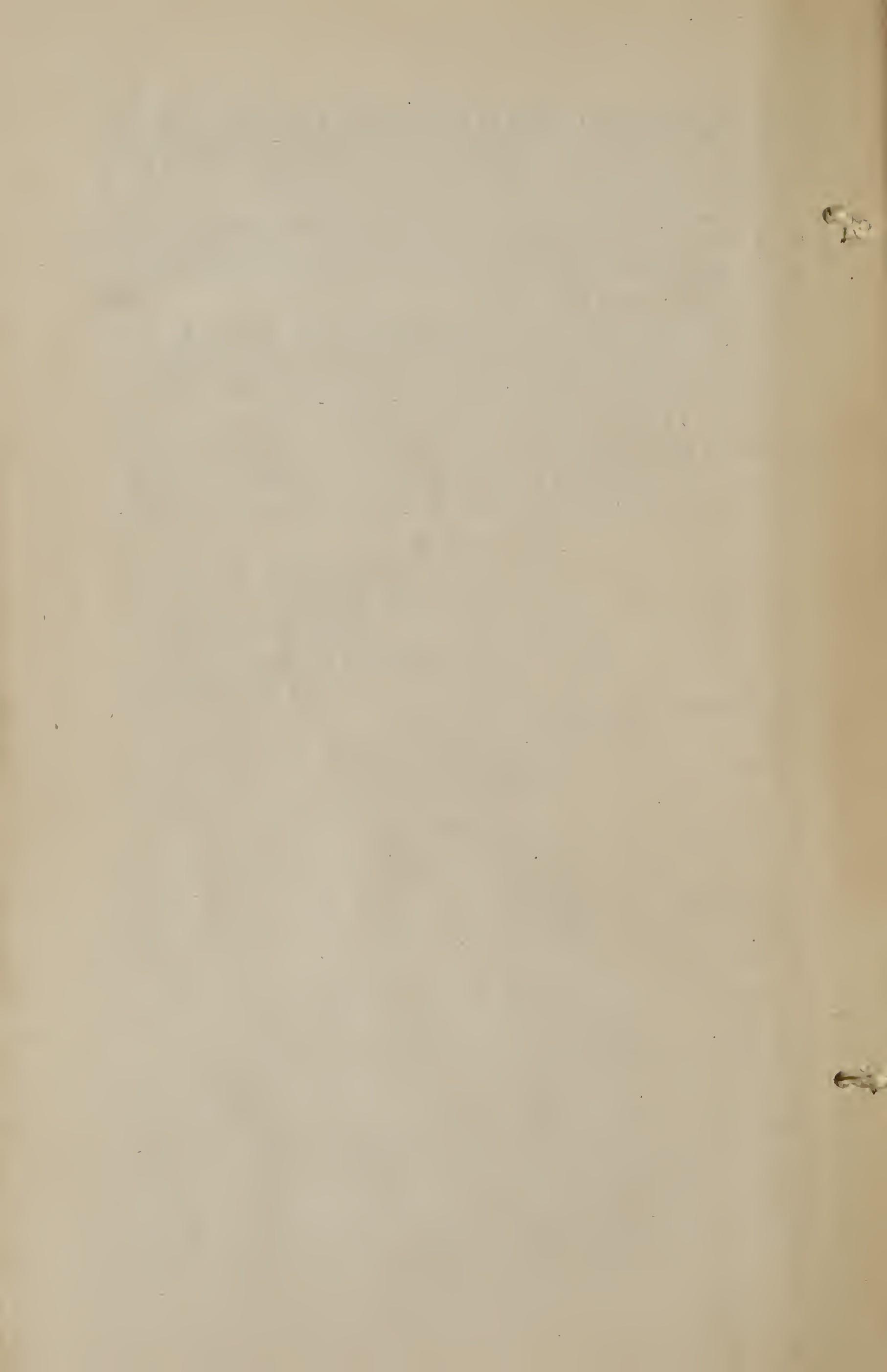
W. G. McADOO,  
*Secretary of the Treasury.*

D. F. HOUSTON,  
*Secretary of Agriculture.*

WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., May 11, 1914.





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United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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FOOD INSPECTION DECISION NO. 155.

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CHANGING EFFECTIVE DATE OF FOOD INSPECTION DECISION NO. 153, WHICH AMENDS REGULATION 9, RELATING TO GUARANTIES BY WHOLESALERS, JOBBERS, MANUFACTURERS, AND OTHER PARTIES RESIDING IN THE UNITED STATES, TO PROTECT DEALERS FROM PROSECUTION.

The effective date of Food Inspection Decision No. 153, issued May 5, 1914, is hereby postponed until May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with law and with the regulations in force prior to May 5, 1914, it shall become effective November 1, 1916; *And provided further*, That compliance with the terms of Regulation 9 of the Rules and Regulations for the enforcement of the Food and Drugs Act as amended by Food Inspection Decision No. 153 will be permitted at any time after the date of this decision.

C. S. HAMLIN,  
*Acting Secretary of the Treasury.*

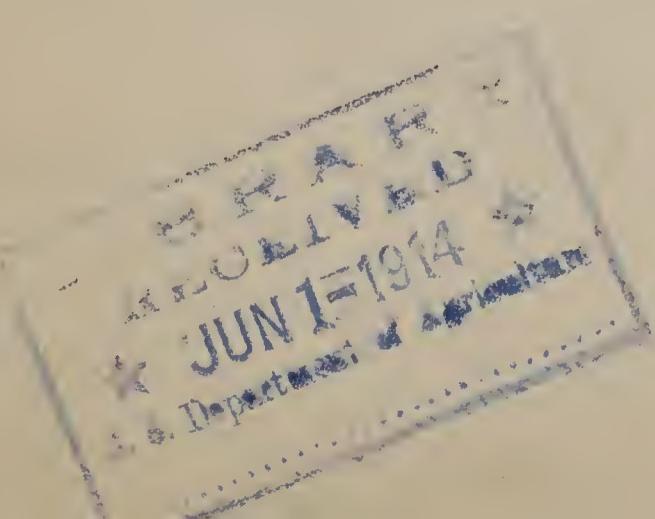
D. F. HOUSTON,  
*Secretary of Agriculture.*

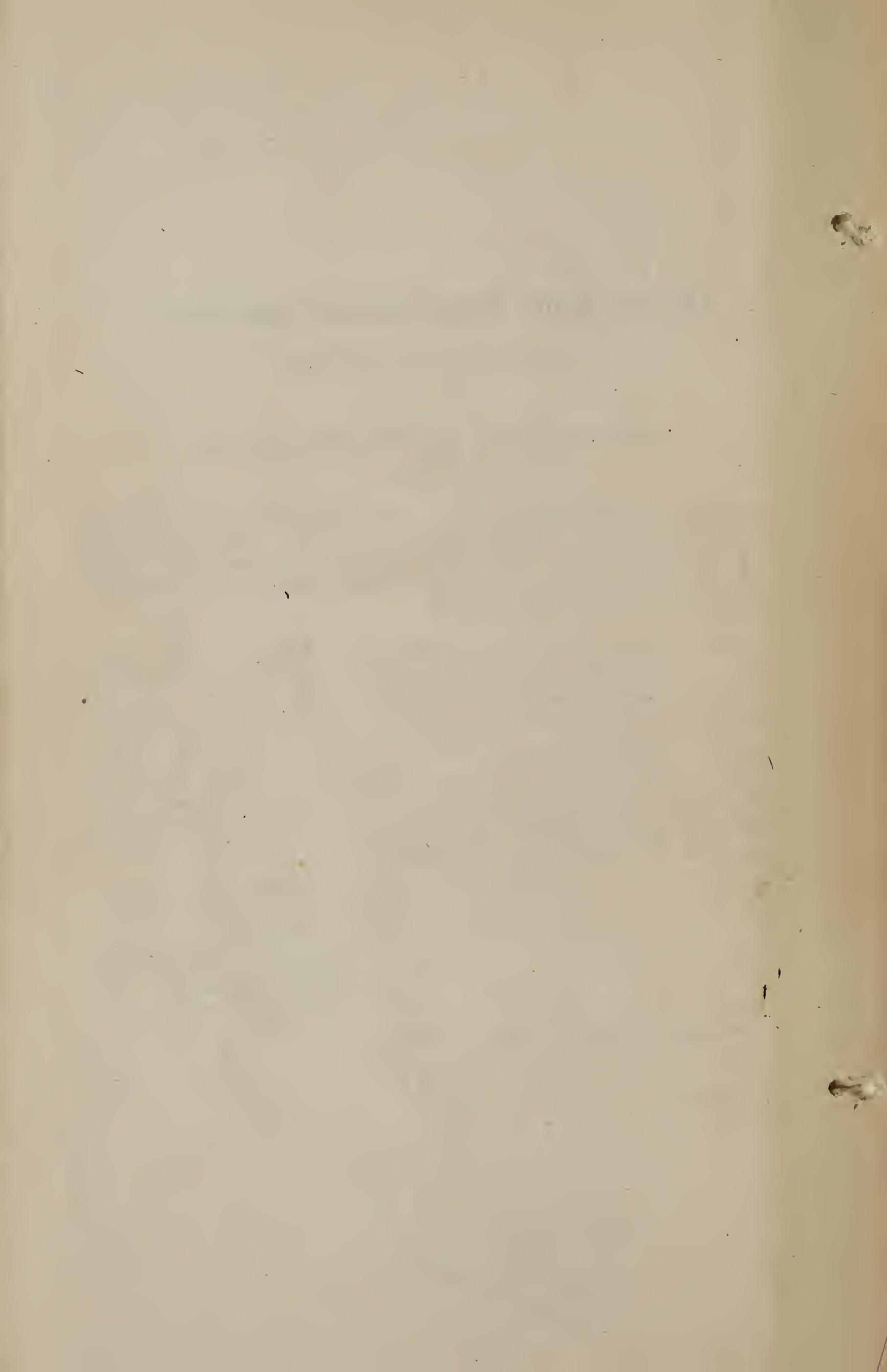
WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., May 29, 1914.

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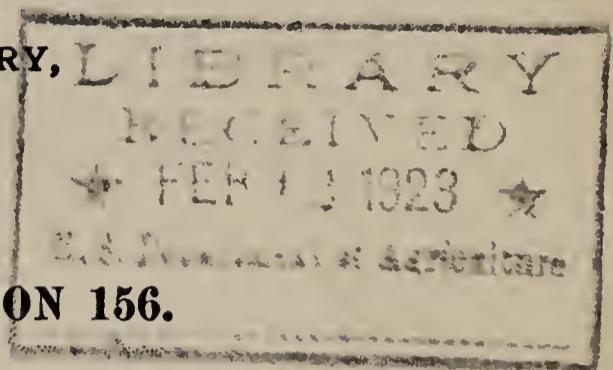




# United States Department of Agriculture,

OFFICE OF THE SECRETARY, LIBRARY

WASHINGTON, D. C.



## FOOD INSPECTION DECISION 156.

### WINE.

As a result of investigations carried on by this Department and of the evidence submitted at a public hearing given on November 5, 1913, the Department of Agriculture has concluded that gross deceptions have been practiced under Food Inspection Decision 120. The Department has also concluded that the definition of wine in Food Inspection Decision 109 should be modified so as to permit correction of the natural defects in grape musts and wines due to climatic or seasonal conditions.

Food Inspection Decisions 109 and 120 are, therefore, hereby abrogated and, as a guide for the officials of this Department in enforcing the Food and Drugs Act, wine is defined to be the product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, with the usual cellar treatment.

To correct the natural defects above mentioned the following additions to musts or wines are permitted:

In the case of excessive acidity, neutralizing agents which do not render wine injurious to health, such as neutral potassium tartrate or calcium carbonate;

In the case of deficient acidity, tartaric acid;

In the case of deficiency in saccharine matter, condensed grape must or a pure dry sugar.

The foregoing definition does not apply to sweet wines made in accordance with the Sweet Wine Fortification Act of June 7, 1906 (34 Stat., 215).

A product made from pomace, by the addition of water, with or without sugar or any other material whatsoever, is not entitled to be called wine. It is not permissible to designate such a product as "pomace wine," nor otherwise than as "imitation wine."

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., June 12, 1914.

49983°—No. 156—14





F. L. D. 157.

Issued August 24, 1914.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY,

WASHINGTON, D. C.

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## FOOD INSPECTION DECISION 157.

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### AMENDING REGULATION 29, WHICH RELATES TO MARKING THE QUANTITY OF FOOD IN PACKAGE FORM.

Paragraph (h) of Regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act is hereby amended by striking out the words "minimum weight 16 oz." and inserting in lieu thereof the words "minimum weight 10 oz.," so that paragraph (h) as amended shall read as follows:

The quantity of the contents may be stated in terms of minimum weight, minimum measure, or minimum count, for example, "minimum weight 10 oz.," "minimum volume 1 gallon," or "not less than 4 oz.;" but in such case the statement must approximate the actual quantity and there shall be no tolerance below the stated minimum.

W. G. McADOO,  
*Secretary of the Treasury.*  
D. F. HOUSTON,  
*Secretary of Agriculture.*  
Wm. J. HARRIS,  
*Acting Secretary of Commerce.*

WASHINGTON, D. C., July 25, 1914.

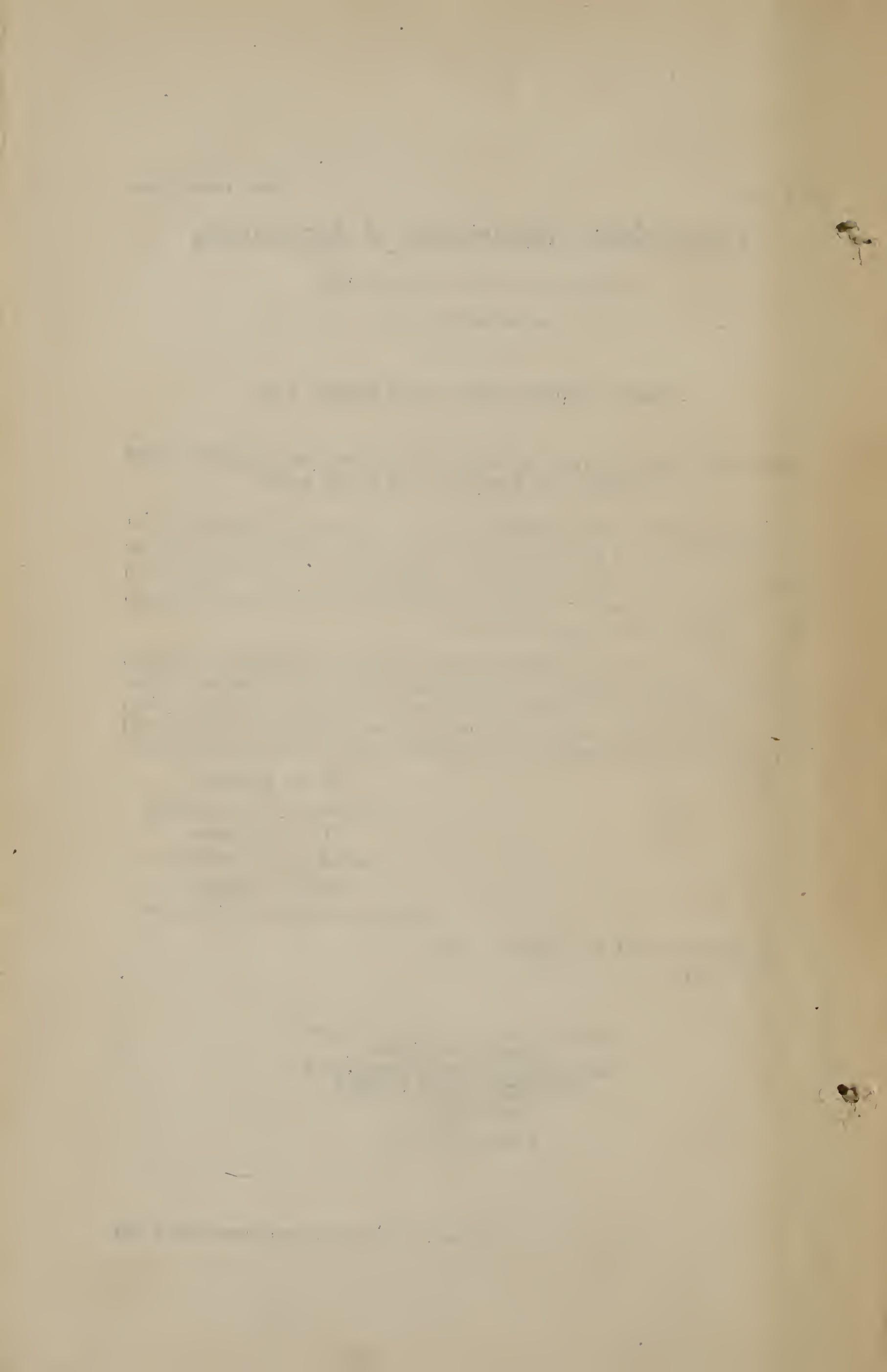
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# United States Department of Agriculture, OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

## FOOD INSPECTION DECISION 158.

### CONDENSED MILK, EVAPORATED MILK, CONCENTRATED MILK.

The Joint Committee on Definitions and Standards of the American Association of Dairy, Food, and Drug Officials, the Association of Official Agricultural Chemists, and the United States Department of Agriculture, on November 20, 1914, adopted the following definition and standard for condensed milk, evaporated milk, concentrated milk:

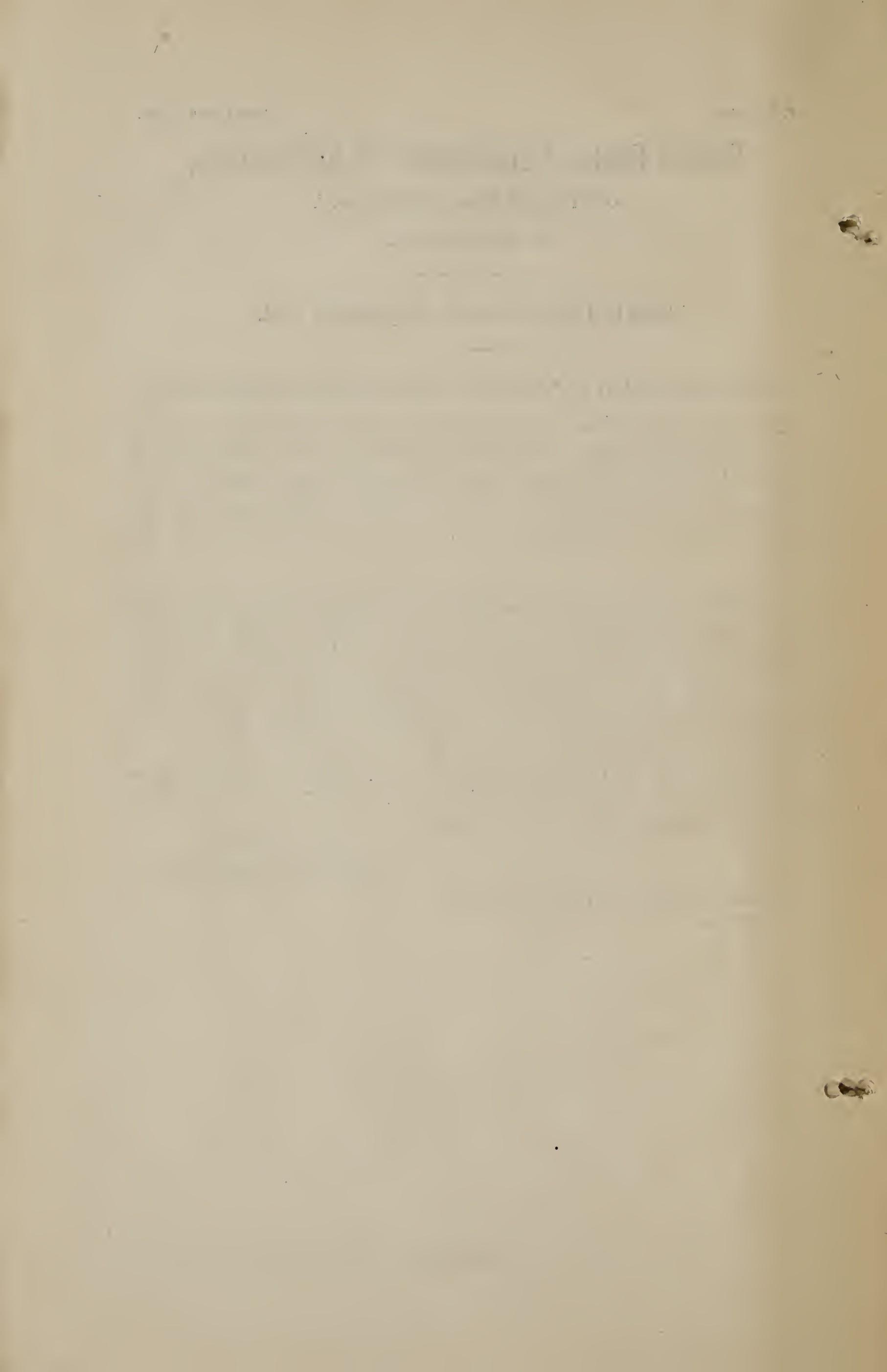
Condensed milk, evaporated milk, concentrated milk, is the product resulting from the evaporation of a considerable portion of the water from the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after calving, and contains, all tolerances being allowed for, not less than twenty-five and five-tenths per cent (25.5%) of total solids and not less than seven and eight-tenths per cent (7.8%) of milk fat.

The foregoing definition is adopted as a guide for the officials of this department in enforcing the Food and Drugs Act, and Food Inspection Decision No. 131 is revoked.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., March 26, 1915.

87652°—15



F. I. D. 159.

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Issued January 6, 1916.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

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## FOOD INSPECTION DECISION 159.

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### CERTIFICATION OF MIXTURES CONTAINING COAL-TAR COLORS. (AMENDING FOOD INSPECTION DECISIONS 77, 106, AND 129.)

Hereafter, no mixture containing one or more certified coal-tar dyes, in combination with other components, constituents, or ingredients not coal-tar dyes, will be certified unless the manufacturer shall make and deposit with the Secretary of Agriculture a declaration that each and every package in which any of such mixture shall be sold or offered for sale shall have, plainly and conspicuously declared upon the label or container, a statement of the quantity or proportion of the certified dye or dyes present in the mixture.

Food Inspection Decisions 77, 106, and 129 are amended accordingly.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., December 28, 1915.

21032°—16\*

1. *Chloris virgata* (L.) Pers.

2. *Chloris virgata* (L.) Pers.

3. *Chloris virgata* (L.) Pers.

4. *Chloris virgata* (L.) Pers.

5. *Chloris virgata* (L.) Pers.

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18. *Chloris virgata* (L.) Pers.

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22. *Chloris virgata* (L.) Pers.

23. *Chloris virgata* (L.) Pers.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

## FOOD INSPECTION DECISION 160.

### GLUTEN PRODUCTS AND "DIABETIC" FOOD.

The following definitions and standards for gluten products and "diabetic" food were adopted by the Joint Committee on Definitions and Standards April 9, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

*Ground gluten* is the clean, sound product made from wheat flour by the almost complete removal of starch and contains not more than ten per cent (10%) of moisture, and, calculated on the water-free basis, not less than fourteen and two-tenths per cent (14.2%) of nitrogen, not more than fifteen per cent (15%) of nitrogen-free extract (using the protein factor 5.7), and not more than five and five-tenths per cent (5.5%) of starch (as determined by the diastase method).

*Gluten flour* is the clean, sound product made from wheat flour by the removal of a large part of the starch and contains not more than ten per cent (10%) of moisture, and, calculated on the water-free basis, not less than seven and one-tenth per cent (7.1%) of nitrogen, not more than fifty-six per cent (56%) of nitrogen-free extract (using the protein factor 5.7), and not more than forty-four per cent (44%) of starch (as determined by the diastase method).

*Gluten flour, self-raising*, is a gluten flour containing not more than ten per cent (10%) of moisture, and leavening agents with or without salt.

*"Diabetic" food.* Although most foods may be suitable under certain conditions for the use of persons suffering from diabetes, the term "diabetic" as applied to food indicates a considerable lessening of the carbohydrates found in ordinary products of the same class, and this belief is fostered by many manufacturers on their labels and in their advertising literature.

A "diabetic" food contains not more than half as much glycogenic carbohydrates as the normal food of the same class. Any statement on the label which gives the impression that any single food in unlimited quantity is suitable for the diabetic patient is false and misleading.

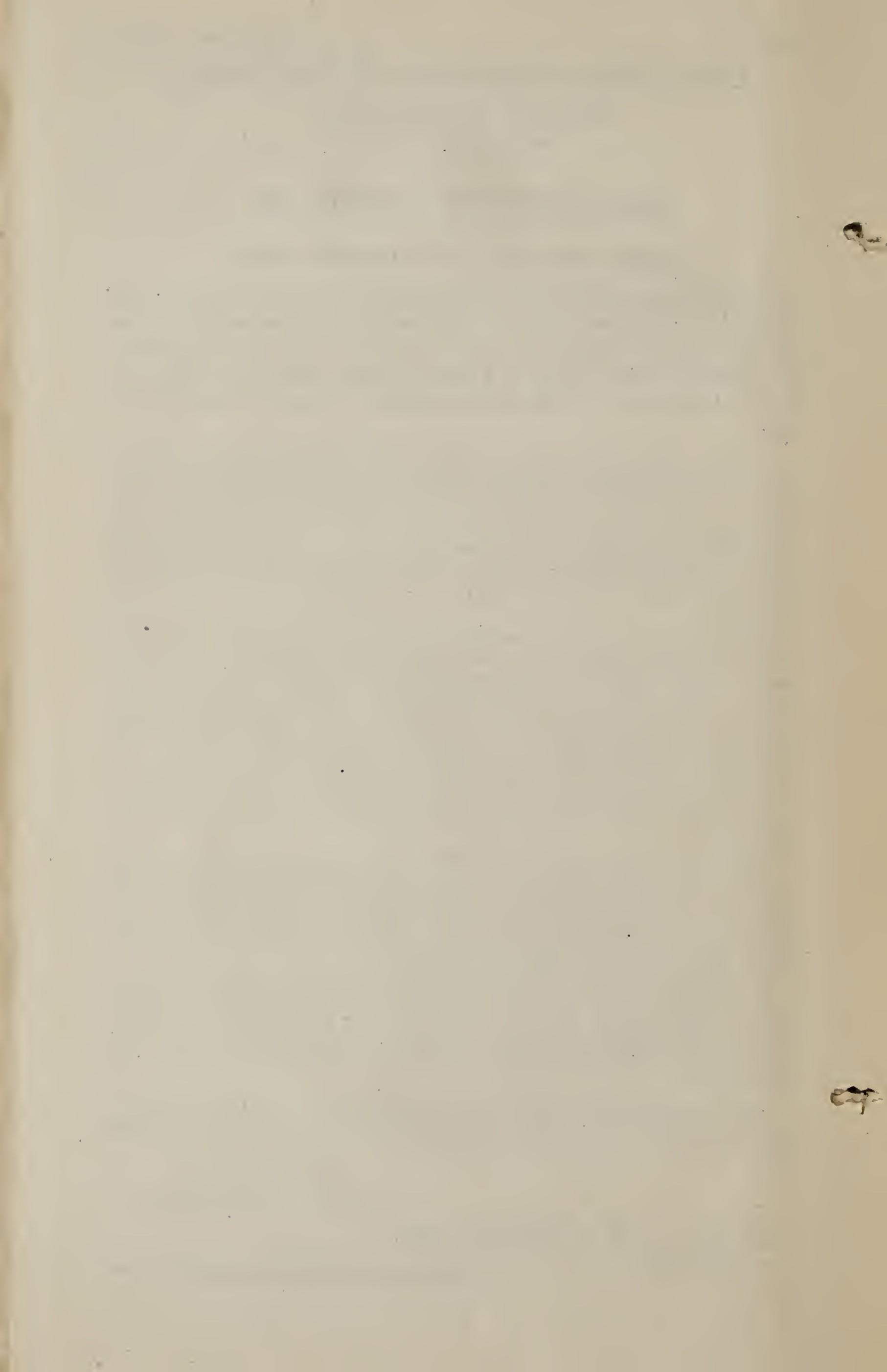
The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., January 3, 1916.

21033°--16\*

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1916



F. I. D. 161.

Issued January 6, 1916.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

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## FOOD INSPECTION DECISION 161.

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### MAPLE PRODUCTS.

The following definitions and standards for maple products were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

*Maple sugar*, *maple concrete*, is the solid product resulting from the evaporation of maple sap or maple sirup.

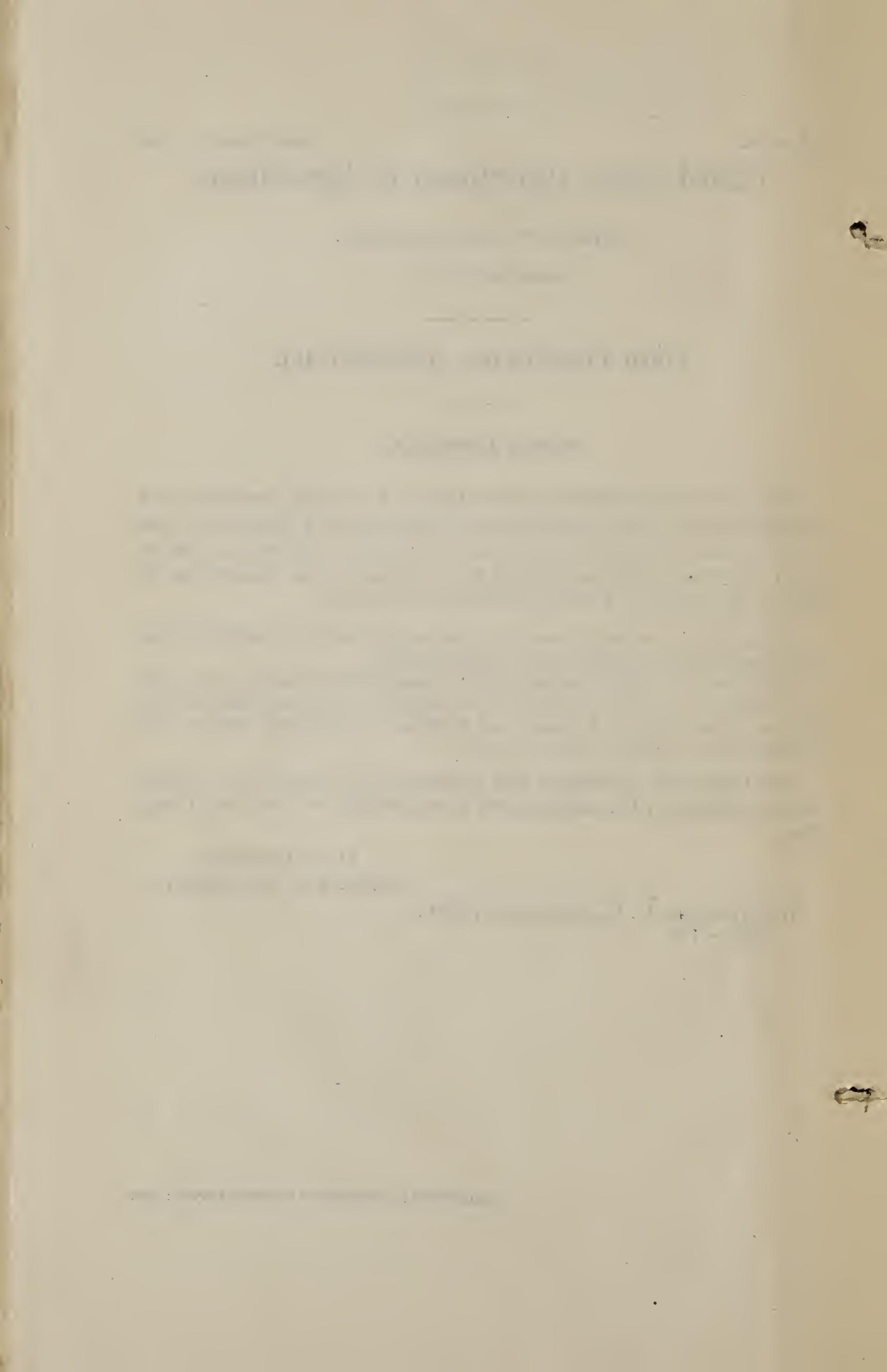
*Maple sirup* is sirup made by the evaporation of maple sap or by the solution of maple concrete, and contains not more than thirty-five per cent (35%) of water and weighs not less than eleven (11) pounds to the gallon (231 cu. in.).

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., January 3, 1916.

21034°—16\*



F. I. D. 162.

Issued January 6, 1916.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

## FOOD INSPECTION DECISION 162.

### EGG NOODLES AND PLAIN NOODLES.

The following definitions and standards for egg noodles and plain noodles were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

*Noodles, egg noodles*, are dried alimentary pastes made from wheat flour and egg. They contain not less than five per cent (5%) by weight of the solids of whole, sound egg exclusive of the shell.

*Plain noodles, water noodles*, are dried alimentary pastes made from wheat flour without egg, or with less than five per cent (5%) by weight of the solids of whole, sound egg exclusive of the shell.

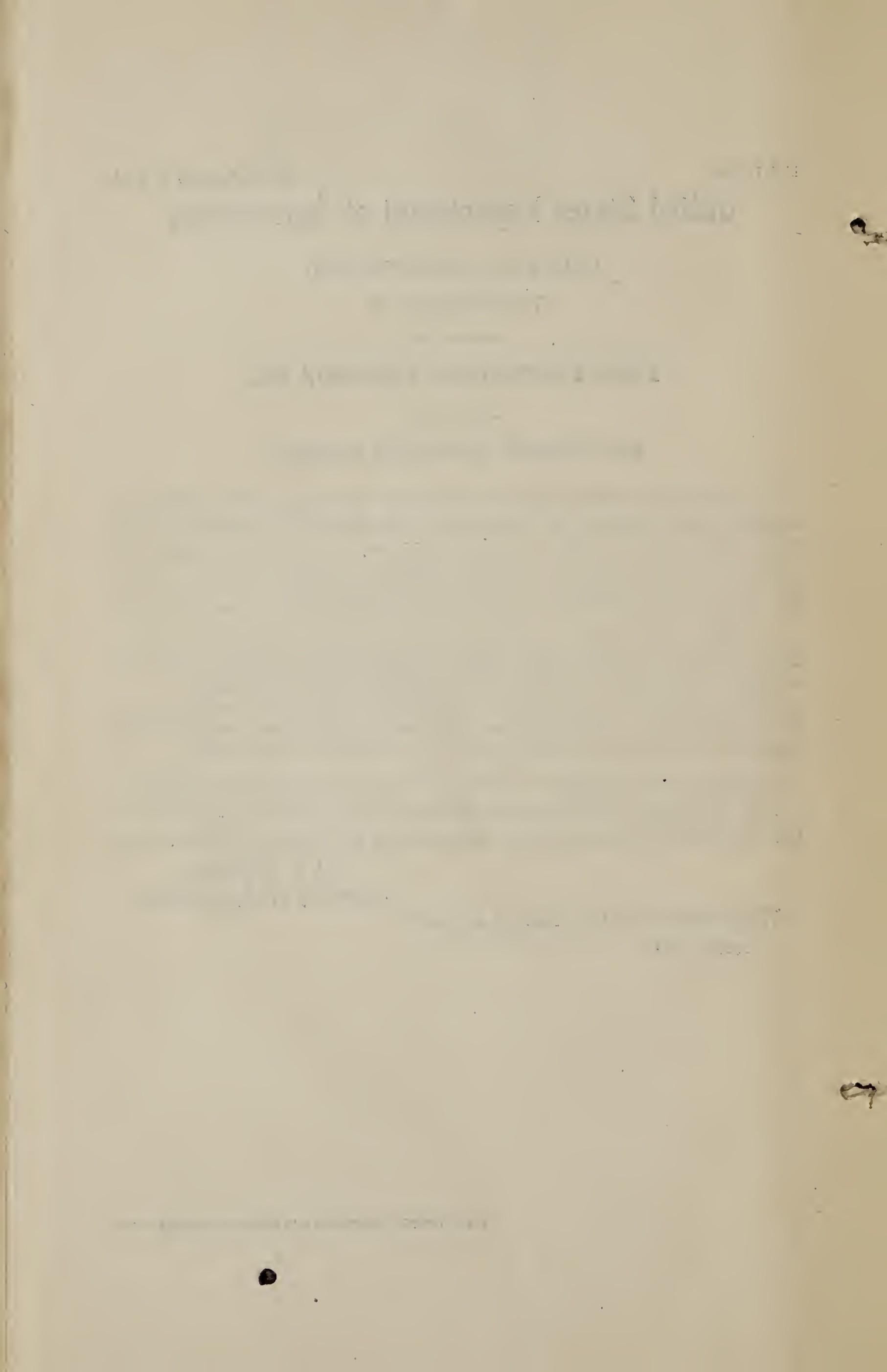
Standards for moisture in these products are under consideration.

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1916.*

21035°—16\*



# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

## FOOD INSPECTION DECISION 163.

### AMENDING REGULATION 29, WHICH RELATES TO MARKING THE QUANTITY OF FOOD IN PACKAGE FORM.

Regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act is hereby amended by striking out paragraphs (d) and (e), and substituting therefor the following:

(d) If the quantity of the contents be stated by weight or measure, it shall be marked in terms of the largest unit contained in the package, except that, in the case of an article with respect to which there exists a definite trade custom for marking the quantity of the article in terms of fractional parts of larger units, it may be so marked in accordance with the custom. Common fractions shall be reduced to their lowest terms; decimal fractions shall be preceded by zero and shall be carried out to not more than two places.

(e) Statements of weight shall be in terms of avoirdupois pounds and ounces; statements of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., in gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68° F. (20° C.); and statements of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i. e., in bushels, pecks, quarts, or pints: Provided, That statements of quantity may be in terms of metric weight or measure. Statements of metric weight should be in terms of kilograms or grams. Statements of metric measure should be in terms of liters or centiliters. Other terms of metric weight or measure may be used if it appears that a definite trade custom exists for marking articles with such other terms and the articles are marked in accordance with the custom.

W. G. McADOO,  
*Secretary of the Treasury.*

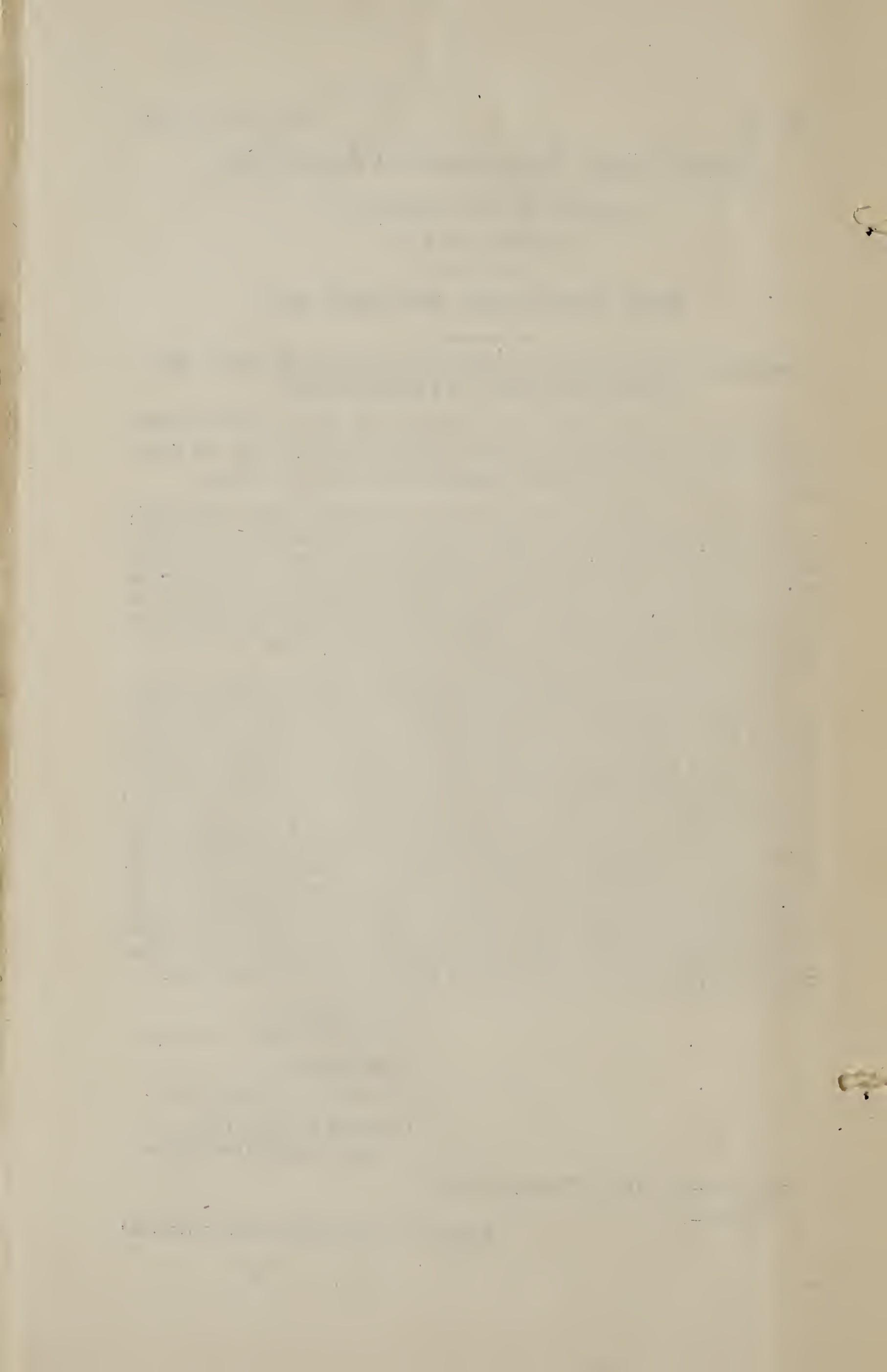
D. F. HOUSTON,  
*Secretary of Agriculture.*

WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., January 5, 1916.

22335°—16

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1916



# United States Department of Agriculture,

OFFICE OF THE SECRETARY.  
WASHINGTON, D. C.

## FOOD INSPECTION DECISION 164.

### COLORS IN FOOD.

(AMENDMENT TO FOOD INSPECTION DECISIONS 76, 117, AND 129.)

Food Inspection Decision 76 is hereby amended by striking out of the list of permitted dyes contained therein, the words:

*Yellow shade:*

- 4. Naphthol yellow S.

and substituting therefor the words:

*Yellow shades:*

- 4. Naphthol yellow S.
- 94. Tartrazine.

Food Inspection Decisions 117 and 129 are also amended so that, hereafter, the coal-tar dyes which may be used in food, subject to the provisions of Food Inspection Decisions 76, 117 and 129, shall be the following:

*Red shades:*

- 107. Amaranth.
- 56. Ponceau 3 R.
- 517. Erythrosine.

*Orange shade:*

- 85. Orange I.

*Yellow shades:*

- 4. Naphthol yellow S.
- 94. Tartrazine.

*Green shade:*

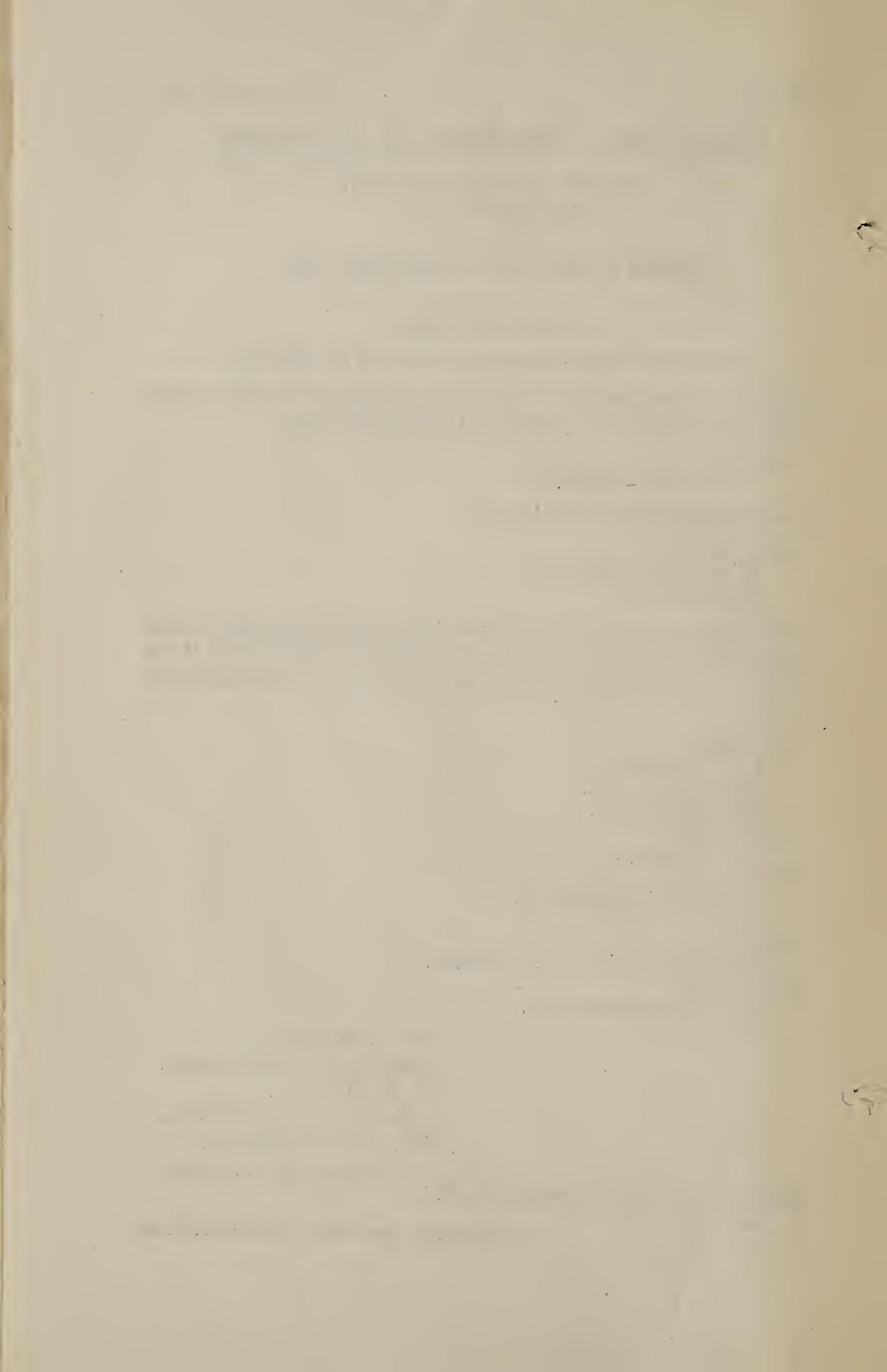
- 435. Light green S. F. yellowish.

*Blue shade:*

- 692. Indigo disulfoacid.

W. G. McADOO,  
*Secretary of the Treasury.*  
D. F. HOUSTON,  
*Secretary of Agriculture.*  
WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., January 11, 1916.



C42 ✓

**United States Department of Agriculture,**  
**OFFICE OF THE SECRETARY.**  
**WASHINGTON, D. C.**

**FOOD INSPECTION DECISION 165.**

**CACAO PRODUCTS.**

The following definitions and standards for cacao products were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

*Cacao beans, cocoa beans*, are the seeds of the cacao tree, *Theobroma cacao L.*

*Cacao nibs, cocoa nibs, cracked cocoa*, is the roasted, broken cacao bean freed from its shell or husk.

*Chocolate, plain chocolate, bitter chocolate, chocolate liquor, chocolate paste, bitter chocolate coatings*, is the solid or plastic mass obtained by grinding cacao nibs without the removal of fat or other constituents except the germ.

*Chocolate, plain chocolate, bitter chocolate, chocolate liquor, chocolate paste, bitter chocolate coatings*, contains not more than three per cent (3%) of ash insoluble in water, three and fifty hundredths per cent (3.50%) of crude fiber, nine per cent (9%) of cacao starch, and not less than forty-five per cent (45%) of cacao fat.

*Sweet chocolate, sweet chocolate coatings*, is chocolate mixed with sugar (sucrose), with or without the addition of cocoa butter, spices, or other flavoring materials.

*Sweet chocolate, sweet chocolate coatings*, contains in the sugar- and fat-free residue no higher percentage of ash, fiber or starch than is found in the sugar- and fat-free residue of chocolate.

*Cocoa, powdered cocoa*, is cacao nibs, with or without the germ, deprived of a portion of its fat and finely pulverized.

*Cocoa, powdered cocoa*, contains percentages of ash, crude fiber and starch corresponding to those in chocolate after correction for fat removed.

*Sweet cocoa, sweetened cocoa*, is cocoa mixed with not more than sixty per cent (60%) of sugar (sucrose).

*Sweet cocoa, sweetened cocoa*, contains in the sugar- and fat-free residue no higher percentage of ash, crude fiber or starch than is found in the sugar- and fat-free residue of chocolate.

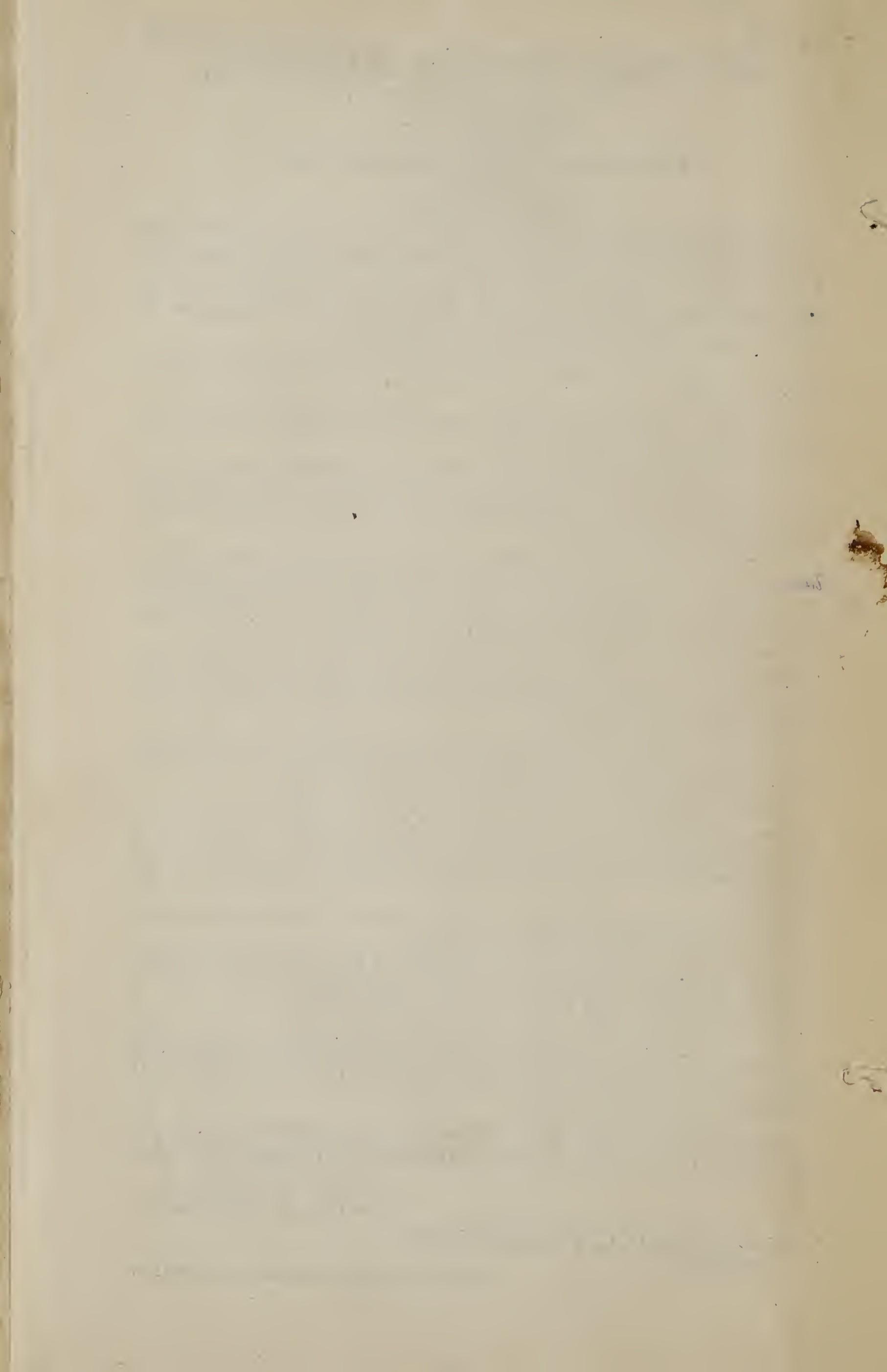
*Milk chocolate, milk cocoa, sweet milk chocolate or sweet milk cocoa*, respectively, is chocolate, cocoa, sweet chocolate or sweet cocoa which contains not less than twelve per cent (12%) of whole milk solids in the finished product.

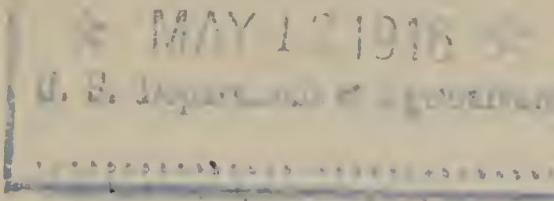
The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., February 15, 1916.

28087°—16





# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

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## FOOD INSPECTION DECISION 166.

(AMENDING FOOD INSPECTION DECISION 115.)

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### ROCKY FORD MELONS.

Investigations conducted by the department have disclosed that the term "Rocky Ford," as applied to muskmelons, has come to mean a particular type of muskmelon which is grown in various localities in the United States. In paragraph (c) of Regulation 19 of the Rules and Regulations for the Enforcement of the Food and Drugs Act of June 30, 1906, it is provided that "the use of a geographical name in connection with a food or drug product will not be deemed a misbranding when by reason of long usage it has come to represent a generic term and is used to indicate a style, type, or brand; but in all such cases the State or Territory where any such article is manufactured or produced shall be stated upon the principal label."

The department, therefore, will not regard as being misbranded muskmelons of the Rocky Ford type labeled "Rocky Ford," which are grown in other localities than Rocky Ford, Colo., provided the name of the State or Territory where the melons are produced is stated on the principal label.

Food Inspection Decision 115 is amended accordingly.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., March 29, 1916.

35559°—16

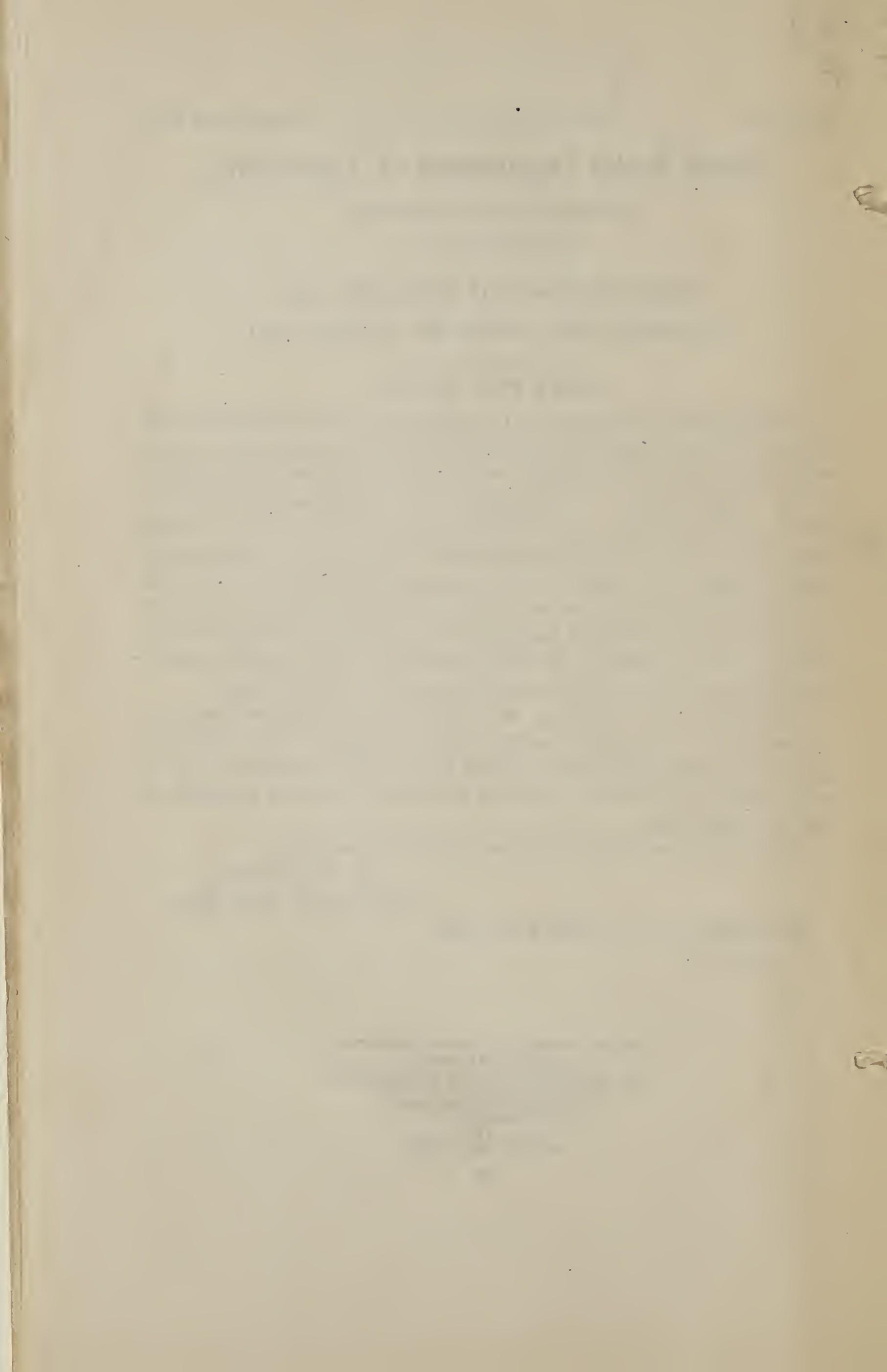
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★ MAY 12 1916 ★**United States Department of Agriculture,**OFFICE OF THE SECRETARY,  
WASHINGTON, D. C.**FOOD INSPECTION DECISION 167.**

(AMENDING FOOD INSPECTION DECISIONS 153 AND 155.)

**USE OF GUARANTY LEGENDS AND SERIAL NUMBERS ON LABELS AND CONTAINERS PRINTED OR MARKED PRIOR TO MAY 5, 1914.**

It has been made to appear that (1) dealers in food and drugs have on hand a great many labels and containers printed or marked prior to the date of Food Inspection Decision 153 (May 5, 1914); (2) these labels and containers bear the legend "Guaranteed by (name of guarantor) under the Food and Drugs Act, June 30, 1906," or a serial number issued by the United States Department of Agriculture, or both; (3) these labels and containers, when so printed or marked, complied with the rules and regulations for the enforcement of the Food and Drugs Act in effect at the time; and (4) great financial loss will result to such dealers, through their inability to use these labels and containers, if Regulation 9, as amended by Food Inspection Decisions 153 and 155, be enforced beginning on May 1, 1916.

Accordingly, proceedings under the Food and Drugs Act, based on the shipment in interstate or foreign commerce, or the sale in the District of Columbia or the Territories, prior to May 1, 1918, of any article of food or drugs, will not be instituted solely on account of the fact that the label thereon or the container thereof bears the legend "Guaranteed by (name of guarantor) under the Food and Drugs Act, June 30, 1906," or a serial number issued by the United States Department of Agriculture, or both, upon it being established that such label or container was so printed or marked prior to May 5, 1914.

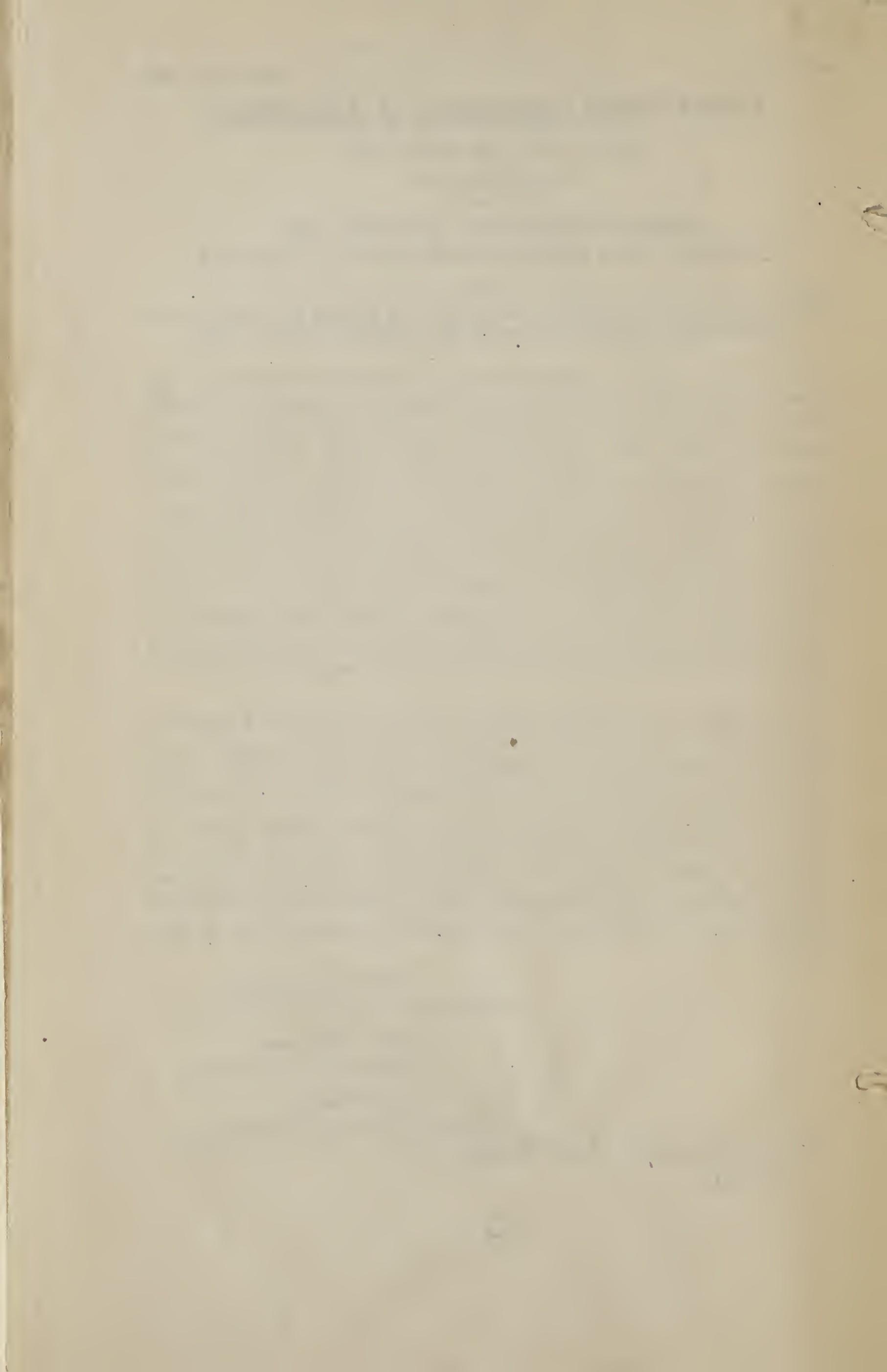
BYRON R. NEWTON,  
*Acting Secretary of the Treasury.*

D. F. HOUSTON,  
*Secretary of Agriculture.*

E. F. SWEET,  
*Acting Secretary of Commerce.*

WASHINGTON, D. C., April 18, 1916.

38763°-16



# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.



## FOOD INSPECTION DECISION 168.

### AMENDING PARAGRAPH (E) OF REGULATION 29, WHICH RELATES TO MARKING THE QUANTITY OF FOOD IN PACKAGE FORM.

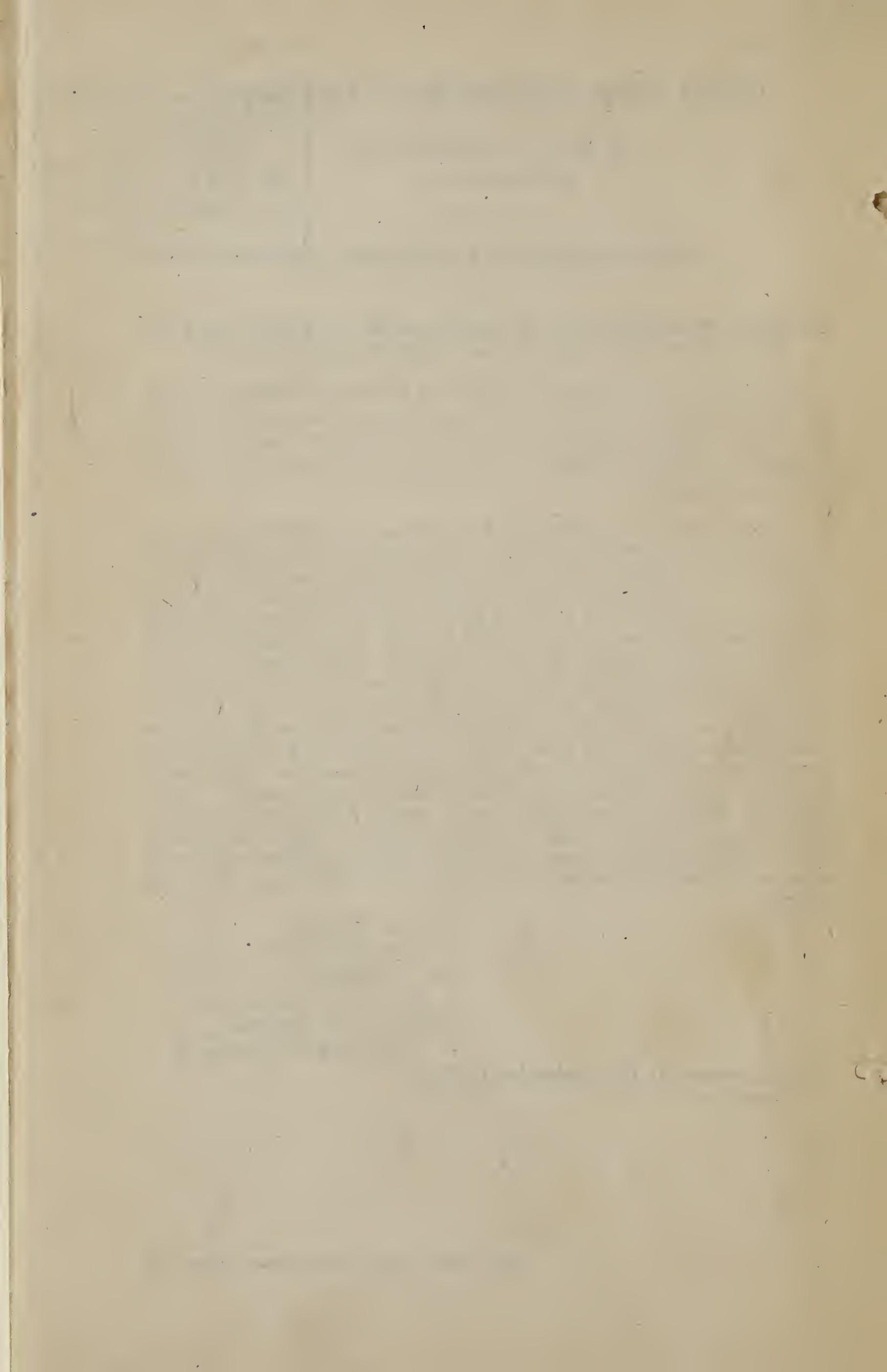
Paragraph (e) of regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act, as amended in Food Inspection Decision 163, issued January 17, 1916, is hereby further amended by striking out the entire paragraph and substituting therefor the following:

(e) Statements of weight shall be in terms of avoirdupois pounds and ounces; statements of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., in gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68° F. (20° C.); and statements of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i. e., in bushels, pecks, quarts, or pints, or, in the case of articles in barrels, in terms of the United States standard barrel and its lawful subdivisions, i. e., third, half, or three-quarters barrel, as fixed by the act of March 4, 1915 (38 Stat., 1186): *Provided*, That statements of quantity may be in terms of metric weight or measure. Statements of metric weight should be in terms of kilograms or grams. Statements of metric measure should be in terms of liters or centiliters. Other terms of metric weight or measure may be used if it appears that a definite trade custom exists for marking articles with such other terms and the articles are marked in accordance with the custom.

W. G. McADOO,  
*Secretary of the Treasury.*  
D. F. HOUSTON,  
*Secretary of Agriculture.*  
WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

WASHINGTON, D. C., September 1, 1916.

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C42F

EDIBLE VEGETABLE FATS AND OILS

JAN 22 1917

F. I. D. 169.

Issued January 17, 1917.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

## FOOD INSPECTION DECISION 169.

### EDIBLE VEGETABLE FATS AND OILS.

The following definitions and standards for edible vegetable fats and oils were adopted by the Joint Committee on Definitions and Standards August 7, 1916, and were approved by the Association of American Dairy, Food, and Drug Officials August 10, 1916, and by the Association of Official Agricultural Chemists November 22, 1916:

*Edible fats and edible oils* are such glycerids of the fatty acids as are recognized to be wholesome foods. They are dry and sweet in flavor and odor.

*Cacao butter, cocoa butter*, is the edible fat obtained from sound cacao beans (*Theobroma cacao L.*), either before or after roasting.

*Coconut oil, copra oil*, is the edible oil obtained from the kernels of the coconut (*Cocos nucifera L.* or *Cocos butyracea L.*).

*Cochin oil* is coconut oil prepared in Cochin (Malabar).

*Ceylon oil* is coconut oil prepared in Ceylon.

*Corn oil, maize oil*, is the edible oil obtained from the germ of Indian corn, maize (*Zea mays L.*).

*Cottonseed oil* is the edible oil obtained from the seed of the cotton plant (*Gossypium herbaceum, L.*), or from the seed of other species of *Gossypium*.

*Olive oil, sweet oil*, is the edible oil obtained from the sound, mature fruit of the olive tree (*Olea europaea L.*).

*Palm kernel oil* is the edible oil obtained from the kernels of the fruit of the palm tree (*Elaeis guineensis L.* or *Elaeis melanococca Gárt.*).

*Peanut oil, arachis oil, earthnut oil*, is the edible oil obtained from the peanut (*Arachis hypogaea L.*).

*Poppy seed oil* is the edible oil obtained from the seeds of the poppy (*Papaver somniferum L.*).

*Rape seed oil, rape oil, colza oil*, is the edible oil obtained from the seed of the rape plant (*Brassica napus L.*), or from the seed of closely related *Brassica* species, which yields oils similar in composition and character to the oil obtained from the seed of *Brassica napus L.*

*Soy bean oil, soy oil, soja oil*, is the edible oil obtained from the seed of the soy bean plant (*Glycine soja L.*; *Soja hispida*, Sieb et Zucc.; *Soja max. (L.) Piper*).

*Sesame oil, gingili oil, teel oil, benne oil*, is the edible oil obtained from the seed of the sesame plant (*Sesamum indicum*, De Candolle; *Sesamum radiatum*. Schum and Thonn; *Sesamum orientale* L.).

*Sunflower oil* is the edible oil obtained from the seed of the sunflower (*Helianthus annuus* L.).

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 9, 1917.*

**United States Department of Agriculture,**

OFFICE OF THE SECRETARY.

WASHINGTON, D. C.

**FOOD INSPECTION DECISION 170.**

APR 3 1917

**SWEETENED CONDENSED MILK, CONDENSED SKIMMED MILK,  
SWEETENED CONDENSED SKIMMED MILK, DRIED MILK, DRIED  
SKIMMED MILK, AND MALTED MILK.**

The following definitions and standards for sweetened condensed milk, condensed skimmed milk, sweetened condensed skimmed milk, dried milk, dried skimmed milk, and malted milk were adopted by the Joint Committee on Definitions and Standards, August 7, 1916, and were approved by the Association of American Dairy, Food, and Drug Officials August 10, 1916, and by the Association of Official Agricultural Chemists November 22, 1916:

*Sweetened condensed milk, sweetened evaporated milk, sweetened concentrated milk*, is the product resulting from the evaporation of a considerable portion of the water from the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after calving, to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than twenty-eight per cent (28.0%) of total milk solids, and not less than eight per cent (8.0%) of milk fat.

*Condensed skimmed milk, evaporated skimmed milk, concentrated skimmed milk*, is the product resulting from the evaporation of a considerable portion of the water from skimmed milk, and contains, all tolerances being allowed for, not less than twenty per cent (20.0%) of milk solids.

*Sweetened condensed skimmed milk, sweetened evaporated skimmed milk, sweetened concentrated skimmed milk*, is the product resulting from the evaporation of a considerable portion of the water from skimmed milk to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than twenty-eight per cent (28.0%) of milk solids.

*Dried milk* is the product resulting from the removal of water from milk, and contains, all tolerances being allowed for, not less than twenty-six per cent (26.0%) of milk fat, and not more than five per cent (5.0%) of moisture.

*Dried skimmed milk* is the product resulting from the removal of water from skimmed milk and contains, all tolerances being allowed for, not more than five per cent (5.0%) of moisture.

*Malted milk* is the product made by combining whole milk with the liquid separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chlorid, sodium bicarbonate, and potassium bicarbonate in such a manner as to secure the full enzymic action of the malt extract and by removing water. The resulting product contains not less than seven and one-half per cent (7.5%) of butter fat and not more than three and one-half per cent (3.5%) of moisture.

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *March 16, 1917.*

MAY 31

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*a* Approved by the three Secretaries.

*b* Attorney General's opinion.

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*a* Approved by the three Secretaries.

*b* Attorney General's opinion.

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*a* Approved by the three Secretaries.

*b* Attorney General's opinion.

